

IMPOUNDMENT INSPI	ECTION AND CERTIFIED REPORT	Clear Water Pond
Permit Number	ACT/007/035	Report Date 4/12/02
Mine Name	SUNNYSIDE REFUSE AND SLUF	RRY
Company Name	SUNNYSIDE COGENERATION AS	SSOCIATES
Impoundment Identification	Impoundment Name	Clear Water Pond
	Impoundment Number	004
	UPDES Permit Number	UT 024759
	MSHA ID Number	N/A

Inspection Date	3/26/02	
Inspected By	Scott Carlson	

Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)

First Quarter Inspection 2002

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

NONE

Required for an impoundment which functions as a SEDIMENTATION POND.

Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.

Storage Capacity = 4.9 acre-feet Maximum Sediment Depth Elevation = 6527 Existing Sediment Elevation = 6523+-

Principle and emergency spillway elevations.

Spillway Elevation = 6530.1

File in: ☐ Confidential ☐ Shelf Expandable Refer to Record No 0008 In C0070035, 2003

For additional information



Sunnyside Cogeneration Associates



P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

April 19, 2002

Daron Haddock STATE OF UTAH Division of Oil, Gas & Mining 1594 W. North Temple, Suite 1210 P. O. Box 145801 Salt Lake City, Utah 84114-5801

First Quarter 2002 Inspection Report

Dear Mr. Haddock:

Please find enclosed a copy of the First Quarter 2002 Inspection Report for Sunnyside Cogeneration Associates' impoundments, refuse pile and excess spoil areas. The inspection was performed by a professional engineer from Psomas and Associates Engineering.

Should you have any questions, please contact Rusty Netz at (435)888-4476.

Sincerely,

Agent For

Sunnyside Cogeneration Associates

Randy J. Scott Plant Manager

Enclosure

c.c. Carl Houskeeper/Division of Oil, Gas & Mining Rusty Netz, COSI Plant File

> Refer to: Confidential

Shelf

Expandable 1902 for additional information RECEIVED

APR 2 4 2002

DIVISION OF OIL, GAS AND MINING

Clear Water Pond

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

No discharge, inlet/outlet conditions are good

No structural or hazardous conditions exist.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

Pond was essentially dry.

No structure or stability problems observed.

Reclamation of Sunnyside Coal Property near this area is completed. Among the facilities reclaimed is the Slurry Ditch, which connected to the SCA Properties. This ditch has been filled in near the SCA Property and is no longer a major storm water conveyance facility to the Slurry Ponds #1 and #2 or to the Clearwater Pond or to the East Slurry Cell. Watersheds, which previously contributed to these ponds, are no longer doing so.

In accordance with the approved plan to construct the Excess Spoil Disposal area #2, the Slurry Ponds #1 and #2 no longer receive storm runoff. These storm flows are now routed either directly to the East Slurry Cell or to the Clear Water Pond. With the reclamation activities at Sunnyside Coal, both of these ponds have ample capacity to handle the storm flows without the Slurry Ponds in series.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature

Date:

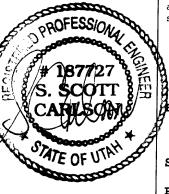
IMPOUNDMENT INSPECTION AND CERTIFIED REPORT Clear Water Pond		
CERTIFIED REPORT		
IMPOUNDMENT EVALUATION (If NO, explain under Comments)	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	yes	
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?	yes	
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	yes	

COMMENTS AND OTHER INFORMATION

None

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: S. Scott Carlson, Pro

Project Director

(Full Name and Fitle)

Signature:

Date: 4/12/02

P.E. Number & State:

187727 UT

Mine Name SUNNYSIDE REFUSE AND SLURRY Company Name SUNNYSIDE COGENERATION ASSOCIATES Impoundment Impoundment Name Impoundment Number O07 UPDES Permit Number WHA ID Number IMPOUNDMENT INSPECTION Inspection Date 3/26/02 Inspected By Scott Carlson Reason for Inspection (Chitical Installation, or Completion of Construction) Chitical Installation, or Completion of Construction) Inspection any appearance of any instability, structural weakness, or any other hazardous condition. NONE 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage capacity and emergency splitted average elevation of existing sediment. Storage Capacity = 4.8 acre-feet Maximum Scdiment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7	IMPOUNDMENT INSPE	CTION AND CERTIFIED REPORT	Railcut Pond
Sunnyside Cogneration Associates	Permit Number	ACT/007/035	Report Date 4/12/02
Impoundment Name Impoundment Number Impoundment Number UPDES Permit Number UT 024759 MSHA ID Number INSPECTION Inspection Date 3/26/02 Inspected By Scott Carlson Reason for Inspection Adminual, Quarterly or other Periodic Inspection, Printical Installation, or Completion of Construction) I. Describe any appearance of any instability, structural weakness, or any other hazardous condition. NONE 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage under the volumes, and, estimated average elevation of existing sediment. Storage Capacity = 4.8 acre-feet Maximum Sediment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Spillway Elevation = 6212.34	Mine Name	SUNNYSIDE REFUSE AND SLURE	RY
Impoundment Name Impoundment Number 007 UPDES Permit Number UT 024759 MSHA ID Number N/A IMPOUNDMENT INSPECTION Inspection Date 3/26/02 Inspected By Scott Carlson Remain, Quarterly or Other Periodic Inspection, Armain, Quarterly or Other Periodic Inspection, Tritical Installation, or Completion of Construction) In Describe any appearance of any instability, structural weakness, or any other hazardous condition. NONE 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment. Storage Capacity = 4.8 acre-feet Maximum Sediment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Spillway Elevation = 6212.34	Company Name	SUNNYSIDE COGENERATION ASS	SOCIATES
UPDES Permit Number MSHA ID Number N/A IMPOUNDMENT INSPECTION Inspection Date 3/26/02 Inspected By Scott Carlson Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, princial Installation, or Completion of Construction) I. Describe any appearance of any instability, structural weakness, or any other hazardous condition. NONE 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment. Storage Capacity = 4.8 acre-feet Maximum Sediment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Stimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.7 Spillway Elevation = 6212.34		Impoundment Name	Railcut Sediment Pond
MSHA ID Number N/A IMPOUNDMENT INSPECTION Inspection Date 3/26/02 Inspected By Scott Carlson Ramual, Quarterly or Other Periodic Inspection, Pritical Installation, or Completion of Construction) I. Describe any appearance of any instability, structural weakness, or any other hazardous condition. NONE 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment. Storage Capacity = 4.8 acre-feet Maximum Sediment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207+- 3. Principle and emergency spillway elevations. Spillway Elevation = 6212.34		Impoundment Number	007
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Inspection Date 3/26/02 Inspected By Scott Carlson Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, or Completion of Construction) 1. pescribe any appearance of any instability, structural weakness, or any other hazardous condition. NONE 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment. Storage Capacity = 4.8 acre-feet Maximum Sediment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207+- 3. Principle and emergency spillway elevations. Spillway Elevation = 6212.34		MSHA ID Number	N/A
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Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Pritical Installation, or Completion of Construction) 1. Describe any appearance of any instability, structural weakness, or any other hazardous condition. NONE 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment. Storage Capacity = 4.8 acre-feet Maximum Sediment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207.4 3. Principle and emergency spillway elevations. Spillway Elevation = 6212.34	Inspection Date	3/26/02	
Annual, Quarterly or Other Periodic Inspection, Pritical Installation, or Completion of Construction) 1. Describe any appearance of any instability, structural weakness, or any other hazardous condition. NONE 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage management which unctions as a EDIMENTATION POND. Storage Capacity = 4.8 acre-feet Maximum Sediment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207+- 3. Principle and emergency spillway elevations. Spillway Elevation = 6212.34	Inspected By	Scott Carlson	
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2. Sediment storage capacity, including elevation of 60% and 100% sediment storage unctions as a EDIMENTATION POND. Storage Capacity = 4.8 acre-feet Maximum Sediment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207+- 3. Principle and emergency spillway elevations. Spillway Elevation = 6212.34	L. Describe any appea	arance of any instability, structura	1 weakness, or any other hazardous condition.
wolumes, and, estimated average elevation of existing sediment. Storage Capacity = 4.8 acre-feet Maximum Sediment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207+- 3. Principle and emergency spillway elevations. Spillway Elevation = 6212.34	NONE		
wolumes, and, estimated average elevation of existing sediment. Storage Capacity = 4.8 acre-feet Maximum Sediment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207+- 3. Principle and emergency spillway elevations. Spillway Elevation = 6212.34		en e	
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Maximum Sediment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207+- 3. Principle and emergency spillway elevations. Spillway Elevation = 6212.34	impoundment which functions as a	The state of the s	
Spillway Elevation = 6212.34		Maximum Sediment Depth B	Elevation = 6207.7
Spillway Elevation = 6212.34			
Spillway Elevation = 6212.34 Primary Drain Elevation = 6209.07		3. Principle and emergency spill	way elevations.
		Spillway Elevation = 621 Primary Drain Elevation	L2.34 = 6209.07

Railcut Pond

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

No discharge, inlet/outlet conditions are good, no structural or hazardous conditions exist.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes. Pond was essentially dry. No structure or stability problems observed.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature:

Date:

IMPOUNDMENT I	NSPECTION AN	D CERTIFI	ED REPORT	Railcu	September 1995 and the		
CERTIFIED R	EPORT						
IMPOUNDMENT EV	VALUATION (If	NO, explai	n under Comme	ents)		YES	NO
1. Is impoundmen	nt designed and	constructed	d in accordan	ce with the	approved plan?	yes	
2. Is impoundment condition?	nt free of inst	ability, st	ructural weak	ness, or any	other hazardo	yes	
3. Has the important dimitations in	indment met all From the previo	applicable us date of i	performance inspection?	standards ar	nd effluent	yes	
COMMENTS AND	THER INFORM	ATION				<u></u>	
None	-						
							,

Certification Statement:

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S. Scott Carlson, P.E. / Project Director

Signature:

Date: 4/12/02

P.E. Number & State: 187727 - UT

IMPOUNDMENT INSPEC	TION AND CERTIFIED REPORT	OCRR Pond
Permit Number	ACT/007/035	Report Date 4/12/02
Mine Name	SUNNYSIDE REFUSE AND SLUR	RY
Company Name	SUNNYSIDE COGENERATION AS	SOCIATES
Impoundment Identification	Impoundment Name	Old Coarse Refuse Road Sediment Pond
	Impoundment Number	008
	UPDES Permit Number	UT 024759
	MSHA ID Number	N/A
IMPOUNDMENT INSE	PECTION	
Inspection Date	3/26/02	
Inspected By	Scott Carlson	
Reason for Inspecti (Annual, Quarterly or Ot Critical Installation, or	.on ther Periodic Inspection, or Completion of Construction)	First Quarter Inspection 2002
Required for an impoundment which functions as a SEDIMENTATION POND	Storage Capacity = 0.9 Maximum Sediment Depth Estimated Existing Sediment 3. Principle and emergency spil: Spillway Elevation = 63	Elevation = 6394.75 ment Elevation = 6394+- lway elevations. 99.4
	Primary Drain Elevation	

OCRR Pond

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

No discharge, Pond was essentially dry. inlet/outlet conditions are good, No structural or hazardous conditions exist.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes, no structure or stability problems observed.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature:

Date:

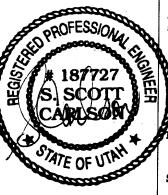
IMPOUNDMENT INSPECTION	N AND CERTIFIED REPORT	OCRR Pond		
CERTIFIED REPORT				
IMPOUNDMENT EVALUATION	V (If NO, explain under Comment	ts)	YES	NO
1. Is impoundment designed	i and constructed in accordance	with the approved plan?	yes	
2. Is impoundment free of condition?	instability, structural weakne	ss, or any other hazardous	yes	
	all applicable performance strevious date of inspection?	andards and effluent	yes	
COMMENTS AND OTHER IN	POPMATION			

COMMENTS AND OTHER INFORMATION

None

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



S. Scott Carlson P.A. Project Director

Signature:

Date: 4/12/02

P.E. Number & State:

187727 - UT

IMPOUNDMENT INSPE	CTION AND CERTIFIED REPORT	Pasture Pond
Permit Number	ACT/007/035	Report Date 4/12/02
Mine Name	SUNNYSIDE REFUSE AND SLURI	RY
Company Name	SUNNYSIDE COGENERATION ASS	SOCIATES
Impoundment Identification	Impoundment Name	Pasture Sediment Pond
	Impoundment Number	009
	UPDES Permit Number	UT 024759
	MSHA ID Number	N/A
IMPOUNDMENT INS	SPECTION	
Inspection Date	3/26/02	
Inspected By	Scott Carlson	
Reason for Inspect (Annual, Quarterly or Critical Installation,	cion Other Periodic Inspection, or Completion of Construction)	First Quarter Inspection 2002
L. Describe any appe	arance of any instability, structura	ul weakness, or any other hazardous condition.
NONE		
NOME		
Required for an mpoundment which unctions as a EDIMENTATION POND	volumes, and, estimated avera	ncluding elevation of 60% and 100% sediment storage age elevation of existing sediment.
	Storage Capacity = 1.0 a Maximum Sediment Depth E Estimated Existing Sedim	Elevation = 6485.5
	3. Principle and emergency spill	way elevations.
	Spillway Elevation = 649 Primary Drain Elevation	

Pasture Pond

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

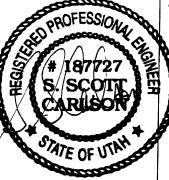
Pond was essentially dry. No discharge, inlet/outlet conditions are good, No structural or hazardous conditions exist.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes. No structure or stability problems observed.

Qualification Statement

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ignature:

Date:

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Pasture Pond		
CERTIFIED REPORT			
IMPOUNDMENT EVALUATION (If NO, explain under Commen	ts)	YES	NO
1. Is impoundment designed and constructed in accordance	e with the approved plan?	yes	-
2. Is impoundment free of instability, structural weakned condition?	ess, or any other hazardous	yes	
3. Has the impoundment met all applicable performance st limitations from the previous date of inspection?	andards and effluent	yes	
COMMENTS AND OTHER INFORMATION			

None

Certification Statement:

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S. Scott PAjoject Director

Signature:

Date: 4/12/02

P.E. Number & State: 187727 - UT

IMPOUNDMENT INSPE	CTION AND CERTIFIED REPORT	CRT Pond
Permit Number		
	ACT/007/035	Report Date 4/12/02
Mine Name	SUNNYSIDE REFUSE AND SLUR	
Company Name	SUNNYSIDE COGENERATION AS	SOCIATES
Impoundment Identification	Impoundment Name	New Coarse Refuse Toe Sediment Pond
	Impoundment Number	012
	UPDES Permit Number	UT 024759
	MSHA ID Number	N/A
IMPOUNDMENT INS	SPECTION	
Inspection Date	3/26/02	
Inspected By	Scott Carlson	
Reason for Inspect (Annual, Quarterly or Critical Installation,	cion Other Periodic Inspection, or Completion of Construction)	First Quarter Inspection 2002
1. Describe any appe	arance of any instability, structure	al weakness, or any other hazardous condition.
NONE		
	,	
Required for an		
impoundment which		ncluding elevation of 60% and 100% sediment storage age elevation of existing sediment.
functions as a SEDIMENTATION POND		
		•
	Storage Capacity = 1.6 Maximum Sediment Depth Estimated Existing Sedi	Elevation = 6177.0
	3. Principle and emergency spil	lway elevations.
	Spillway Elevation = 61 Primary Drain Elevation	
*		
	1 .	

CRT Pond

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond was essentially dry. No discharge, inlet/outlet conditions are good, No structural or hazardous conditions exist.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes. No structure or stability problems observed.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature:

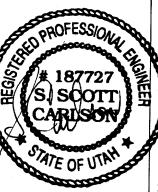
Date:

IMI	POUNDMENT INSPECTION AND CERTIFIED REPORT	CRT Pond		
CE.	RTIFIED REPORT			
IME	POUNDMENT EVALUATION (If NO, explain under Comment	:s)	YES	NO
1.	Is impoundment designed and constructed in accordance	with the approved plan?	yes	
2.	Is impoundment free of instability, structural weakne condition?	ss, or any other hazardous	yes	
3.	Has the impoundment met all applicable performance st limitations from the previous date of inspection?	andards and effluent	yes	
COM	MENTS AND OTHER THEORY TON		· · · · · · · · · · · · · · · · · · ·	

None

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



Carlson - Project Director S. Scotty

Signature:

Date: 4/12/02

P.E. Number & State: 187727 - UT

Permit Number	ACT/007/035	Report Date 4/12/02
Mine Name	SUNNYSIDE REFUSE AND SLUR	
Company Name	SUNNYSIDE COGENERATION AS	
Impoundment Identification	Impoundment Name	Coal Runoff Sediment Pond
	Impoundment Number	014
	UPDES Permit Number	UT 024759
	MSHA ID Number	N/A
IMPOUNDMENT IN	SPECTION	
Inspection Date	3/26/02	
Inspected By	Scott Carlson	. `
Reason for Inspectant Annual, Quarterly or Critical Installation,	Other Periodic Inspection.	First Quarter Inspection 2002
	or Completion of Construction)	al weakness, or any other hazardous condition.
L. Describe any appe		
L. Describe any appe	2. Sediment storage capacity, i volumes, and, estimated aver	
NONE Required for an mpoundment which unctions as a	2. Sediment storage capacity, i volumes, and, estimated aver	ncluding elevation of 60% and 100% sediment storage age elevation of existing sediment. acre feet Elevation = 6476.0
. Describe any appe NONE equired for an mpoundment which unctions as a	2. Sediment storage capacity, i volumes, and, estimated aver Storage Capacity = 1.5 Maximum Sediment Depth	ncluding elevation of 60% and 100% sediment storage age elevation of existing sediment. acre feet Elevation = 6476.0
NONE equired for an mpoundment which unctions as a	2. Sediment storage capacity, i volumes, and, estimated aver Storage Capacity = 1.5 Maximum Sediment Depth	ncluding elevation of 60% and 100% sediment storage age elevation of existing sediment. acre feet Elevation = 6476.0 ment Elevation = 6474±

COAL RUNOFF POND

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond was essentially dry. No discharge, inlet and outlet conditions are good. No structural or hazardous conditions exist.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes.

No structure or stability problems observed.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

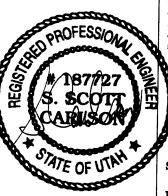
Signature:

Date:

IMI	POUNDMENT INSPECTION AND CERTIFIED REPORT	COAL RUNOFF POND			
CE:	CERTIFIED REPORT				
IME	IMPOUNDMENT EVALUATION (If NO, explain under Comments) YES NO				
1.	1. Is impoundment designed and constructed in accordance with the approved plan? yes				
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?			yes		
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?			yes		
COMMENTS AND OTHER INFORMATION					

None

Certification Statement:



I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

S. Scott/Carlson - Project Director

Signature:

alson

Date: 4/12/02

P.E. Number & State:

187727 - UT

	TION AND CERTIFIED REPORT			
Permit Number	ACT/007/035	Report Date 4/12/02		
Mine Name	SUNNYSIDE REFUSE AND SLURRY			
Company Name	SUNNYSIDE COGENERATION ASSOCIATES			
Impoundment Identification	Impoundment Name	Borrow Area Pond		
	Impoundment Number	016		
	UPDES Permit Number	UT 024759		
	MSHA ID Number	N/A		
IMPOUNDMENT INS	PECTION			
Inspection Date	3/26/02			
Inspected By	Scott Carlson			
Reason for Inspect: Annual, Quarterly or O Critical Installation,	ion ther Periodic Inspection, or Completion of Construction)	First Quarter Inspection 2002		
. Describe any appea	rance of any instability, structura	l weakness, or any other hazardous condition.		
NONE	v.			
Required for an		ncluding elevation of 60% and 100% sediment storage		
mpoundment which unctions as a	volumes, and, estimated avera	age elevation of existing sediment.		
EDIMENTATION POND				
	,			
	Storage Capacity = 8.3 a Maximum Sediment Depth F			
Maximum Sediment Depth Elevation = 6513.3 Estimated Existing Sediment Elevation = 6511+-				
	Estimated Existing Sedin			
	Estimated Existing Sedin			
	Estimated Existing Sedin			
	Estimated Existing Sedin			
	3. Principle and emergency spill	nent Elevation = 6511+-		
	3. Principle and emergency spill	ment Elevation = 6511+- way elevations.		
		way elevations.		
	3. Principle and emergency spill Spillway Elevation = 651	way elevations.		
	3. Principle and emergency spill Spillway Elevation = 651	way elevations. 17.03		
	3. Principle and emergency spill Spillway Elevation = 651	way elevations.		
	3. Principle and emergency spill Spillway Elevation = 651	way elevations.		

Borrow Area Pond

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond was essentially dry. No discharge, inlet/outlet conditions are good, No structural or hazardous conditions exist.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes.

No structure or stability problems observed.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature:

Date:

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Borrow Area Pond			
CERTIFIED REPORT	100 April 100 Ap			
IMPOUNDMENT EVALUATION (If NO, explain under Comment	ts)	YES	NO	
1. Is impoundment designed and constructed in accordance with the approved plan? yes				
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?				
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?				
COMMENTS AND OTHER INFORMATION				

none

Certification Statement:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

INSTALL OF UNITS SIGN

S. Scott/Ca

E. /Project Director

Signature:

Date: 4/12/02

P.E. Number & State:

187727 Utah

INSPECTION AND CERTIFIE ON EXCESS SPOIL PILE OR	D REPORT REFUSE PILE	Coarse Refuse Pile			
Permit Number	ACT/007/035	Report Date 4/12/02			
Mine Name	SUNNYSIDE REFUSE AN	D SLURRY			
Company Name	Company Name SUNNYSIDE COGENERATION ASSOCIATES				
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Coarse Refuse Pile			
	Pile Number	N/A			
	MSHA ID Number	1211-UT-09-02093-01			
Inspection Date	3/26/02				
Inspected By	Scott Carlson				
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2002			
		Attachments to Report? No X Yes			
Field Evaluation					
1. Foundation prepar	ration, including the removal of	f all organic material and topsoil.			
N/A					
2. Placement of unde	rdrains and protective filter s	systems.			
N/A					
3. Installation of f	inal surface drainage systems.				
N/A					
4. Placement and comp	paction of fill materials.				
N/A					
Removal of C	coarse and fine Refuse	e Material Only			

Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions.

No smokers visible

Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

Waste Coal Removal

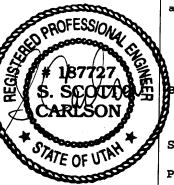
On August 29, 2001, SCA petitioned MSHA for a change in status for the MSHA classified structure West Slurry Cell.

In a letter dated September 10, 2001, MSHA approved the West Slurry Cell Impoundment for abandonment and indicated that it would be removed from the mine files. This was done on the basis that the impoundment was abandoned in a manner to preclude the probability of future impoundment of water, sediment, or slurry. The site of this former impoundment is still regulated by MSHA as the Coarse Refuse Pile and is the location of SCA's main excavation activity.

Copies of the letters between SCA and MSHA regarding these changes are attached to the inspection report for the West Slurry Cell

Certification Statement

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.



Y: <u>S. Scott Carl</u>son - Project Director

(Full Name and Xi/1e)

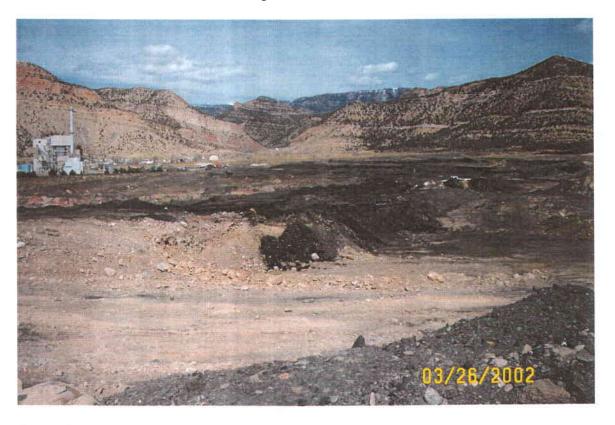
Signature:

Date: 4/12/02

P.E. Number & State: 187727 - U'



Coarse Refuse Pile from West Looking East



Coarse Refuse Pile from West Looking East

Mine Name Company Name Impoundment Identification IMPOUNDMENT INSPE Inspection Date Inspected By Reason for Inspection (Annual, Quarterly or Other	ACT/007/035 SUNNYSIDE REFUSE AND SLURF SUNNYSIDE COGENERATION ASS Impoundment Name Impoundment Number UPDES Permit Number MSHA ID Number SCTION 3/26/02 Scott Carlson		
Company Name Impoundment Identification IMPOUNDMENT INSPE Inspection Date Inspected By Reason for Inspection (Annual, Quarterly or Other	SUNNYSIDE COGENERATION ASS Impoundment Name Impoundment Number UPDES Permit Number MSHA ID Number SCTION 3/26/02	East Slurry Cell N/A N/A	
Impoundment Identification IMPOUNDMENT INSPE Inspection Date Inspected By Reason for Inspection (Annual, Quarterly or Other	Impoundment Name Impoundment Number UPDES Permit Number MSHA ID Number SCTION 3/26/02	East Slurry Cell N/A N/A	
IMPOUNDMENT INSPE Inspection Date Inspected By Reason for Inspection (Annual, Quarterly or Other	Impoundment Number UPDES Permit Number MSHA ID Number CCTION 3/26/02	N/A N/A	
IMPOUNDMENT INSPE Inspection Date Inspected By Reason for Inspection (Annual, Quarterly or Other	UPDES Permit Number MSHA ID Number SCTION 3/26/02	N/A	
IMPOUNDMENT INSPE Inspection Date Inspected By Reason for Inspection (Annual, Quarterly or Other	MSHA ID Number SCTION 3/26/02		
IMPOUNDMENT INSPE Inspection Date Inspected By Reason for Inspection (Annual, Quarterly or Other	3/26/02	1211-UT-09-02093-02	
Inspection Date Inspected By Reason for Inspection (Annual, Quarterly or Other	3/26/02		
Inspected By Reason for Inspection (Annual, Quarterly or Other			
Reason for Inspection (Annual, Quarterly or Other	Scott Carlson		
(Annual, Quarterly or Othe			
	Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) First Quarter Inspection 2002		
l. Describe any appearan	nce of any instability, structura	l weakness, or any other hazardous condition.	
NONE			
Required for an impoundment which functions as a SEDIMENTATION POND		ncluding elevation of 60% and 100% sediment storage age elevation of existing sediment.	
Storage Capacity = 27+- acre-feet Maximum Sediment Depth Elevation = N/A Estimated Existing Sediment Elevation = N/A			
3	B. Principle and emergency spill $\mathrm{N/A}$	lway elevations.	

East Slurry Cell

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond was essentially dry.
No structural or hazardous conditions exist.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

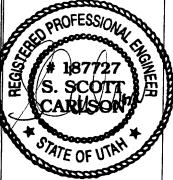
Slurry Cell is not receiving slurry from any source, currently functioning as a sediment pond. No structural or stability problems observed.

Reclamation of Sunnyside Coal Property near this area is completed. Among the facilities reclaimed is the Slurry Ditch, which connected to the SCA Properties. This ditch has been filled in near the SCA Property and is no longer a major storm water conveyance facility to the Slurry Ponds #1 and #2 or to the Clearwater Pond or to the East Slurry Cell. Watersheds, which previously contributed to these ponds, are no longer doing so.

In accordance with the approved plan to construct the Excess Spoil Disposal area #2, the Slurry Ponds #1 and #2 no longer receive storm runoff. These storm flows are now routed either directly to the East Slurry Cell or to the Clear Water Pond. With the reclamation activities at Sunnyside Coal, both of these ponds have ample capacity to handle the storm flows without the Slurry Ponds in series.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.



ignature:

Date: 4/12/

IME	POUNDMENT INSPECTION AND CERTIFIED REPORT East Slurry Cell				
CERTIFIED REPORT					
IMP	IMPOUNDMENT EVALUATION (If NO, explain under Comments) YES NO				
1. Is impoundment designed and constructed in accordance with the approved plan?		yes			
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?					
3.	3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?				

COMMENTS AND OTHER INFORMATION

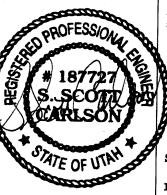
On August 29, 2001, SCA petitioned MSHA for a change in inspection requirements this MSHA classified structures.

In a letter dated September 12, 2001, MSHA approved a change in the frequency of inspections for the East Slurry Cell Impoundment, requiring monthly inspections instead of weekly. This was done on the basis that the impoundment has not received new slurry discharge since 1995 and at present, only storm water events report to the pond.

Copies of the letters between SCA and MSHA regarding these changes are attached.

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



S. Scott Carlson - Project Director (Full Name and Title)

Signature:

Date: 4/12/02

P.E. Number & State:

187727 - UT

ับ. S. Department of Labor

Mine Safety and Health Administration P O Box 25367 Denver, Colorado 80225



Coal Mine Safety and Health District 9

SEP 12 2001

Randy J. Scott Plant Manager Sunnyside Cogeneration Associates One Power Plant Road Sunnyside, UT 84539

RE: Sunnyside Waste Coal Site
Mine ID No. 42-02093
East Slurry Cell
ID #1211-UT-09-02093-02
Impoundment Inspection Interval

Dear Mr. Scott:

Your request, in a letter dated August 29, 2001, concerning authorization to change the referenced impounding structure's mandatory inspection interval is **approved** in accordance with 30 CFR 77.216-3(a)(1). This approval is site-specific to the above referenced impoundment structure for the subject mine and will terminate when the site is abandoned or when you are notified of termination by the District Manager.

If you have any questions regarding this approval letter, please contact Billy Owens or Alice Perry of this office at 303-231-5463 extensions 145 and 139, respectively, or 303-231-5458.

Sincerely,

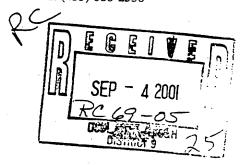
v Enclosure



Sunnyside Cogeneration Associates

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

August 29, 2001



Mine Safety & Health Administration District Manager John A. Kuzar P.O.Box 25367 D.F.C. Denver, Co. 80225 Phone (303)231-5458

Re: Sunnyside Coal Waste Site, 42-02093 East Slurry Impoundment, 1211-UT-09-02093-02 Coal Refuse Pile, 1211-UT-09-02093-01

Dear Mr. Kuzar

Sunnyside Cogeneration Associates(SCA) is requesting your approval to change our inspection frequency on the above referenced impoundment's and coal refuse pile. At the present we are inspecting the structures once every seven days(weekly), and are requesting that the inspection be made every 30 days(monthly).

The East Slurry Pond has not been used for its designed purpose, to contain slurry discharge, since 1995. At present, only storm water events report to the pond, with plenty of free board space.

The Coal Refuse Pile is currently being mined and has been since 1993. In 1995, the Sunnyside Coal Company stopped placing refuse material on the pile.

The following are steps and precautions that SCA would take upon this request being approved.

- 1. If a seismic activity occurs in the vicinity of the impoundment/refuse pile, an on-site inspection shall commence immediately.
- If someone reports an unusual condition that may affect the safety/stability of the impoundment/refuse pile, an on-site inspection shall commence immediately.
- 3. If a significant runoff/precipitation event occurs, an on-site inspection will follow.
 APPROVED

UL 12 2001

District Manager John A. Kuzar August 28, 2001 Page Two

- 4. The impoundment/refuse pile will be inspected at an interval not to exceed 30 days.
- 5. A daily monitoring record of the measurable rainfall shall be kept. All records about the impoundment/refuse pile shall be made available to MSHA personnel upon request.

The inspection frequency requirements will not preclude additional safety measures that an on site MSHA representative may require.

Should you have any questions, please contact Rusty Netz at (435)888-4476.

Sincerely,

Agent For Sunnyside Cogeneration Associates

Randy J. Scott Plant Manager

C.C. Ted E. Farmer/Supervisory CMS&H Inspector-Price Gene Ray/Supervisory CMS&H Inspector-Price Plant File

APPROVED

J'IL 1 2 2001

IMPOUNDMENT INSPEC	TION AND CERTIFIED REPORT	West Cell			
Permit Number	ACT/007/035	Report Date 4/12/02			
Mine Name	SUNNYSIDE REFUSE AND SLURRY				
Company Name	pany Name SUNNYSIDE COGENERATION ASSOCIATES				
Impoundment Name Identification Unpoundment Name West Slurry Cell					
	Impoundment Number	N/A			
• •	UPDES Permit Number	N/A			
~	MSHA ID Number	1211-UT-09-02093-03			
IMPOUNDMENT INSI	PECTION				
Inspection Date	3/26/02				
Inspected By	Scott Carlson				
Reason for Inspecti (Annual, Quarterly or Ot Critical Installation, o	on ther Periodic Inspection, or Completion of Construction)	First Quarter Inspection 2002			
1. Describe any appear	rance of any instability, structura	l weakness, or any other hazardous condition.			
NONE					
NONE					
Required for an	2. Sediment storage capacity, in	ncluding elevation of 60% and 100% sediment storage			
impoundment which volumes, and, estimated average elevation of existing sediment storage functions as a					
SEDIMENTATION POND					
	Storago Canagitus - N/A				
Storage Capacity = N/A Maximum Sediment Depth Elevation = N/A					
Estimated Existing Sediment Elevation = N/A					
	3. Principle and emergency spill	way elevations.			
	N/A				
	TA \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \				

West Cell

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Slurry Cell is Inactive Refuse Removal

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

Slurry Cell is not receiving slurry from any source

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature:

Date:

IMI	POUNDMENT INSPECTION AND CERTIFIED REPORT	West Cell			
CE	CERTIFIED REPORT				
IMPOUNDMENT EVALUATION (If NO, explain under Comments)			YES	NO	
1. Is impoundment designed and constructed in accordance with the approved plan?			yes		
2. Is impoundment free of instability, structural weakness, or any other hazardous condition?			yes		
3.	3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?				
COMMENTE AND OFFICE TAMES TO SEE THE S					

COMMENTS AND OTHER INFORMATION

On August 29, 2001, SCA petitioned MSHA for a change in status for this MSHA classified structure.

In a letter dated September 10, 2001, MSHA approved the West Slurry Cell Impoundment for abandonment and indicated that it would be removed from the mine files. This was done on the basis that the impoundment was abandoned in a manner to preclude the probability of future impoundment of water, sediment, or slurry. The site of this former impoundment is still regulated by MSHA as the Coarse Refuse Pile and is the location of SCA's main excavation activity.

Copies of the letters between SCA and MSHA regarding these changes are attached.

No further inspection reports will be prepared for the West Slurry Cell. All future inspections of this area will be filed as the Coarse Refuse Pile.

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

PROFESSIONAL SERVICE SAME CARLSON STATE OF UTAKE

S. Scott Carlson - Project Director
(Full Name and (Title)

ignature: XX ent (M)

Date: 4/12/02

P.E. Numbér & State:

187727 UT

U. S. Department of Labor

Mine Safety and Health Administra P O Box 25367 Denver, Colorado 80225

Coal Mine Safety and Health District 9

SEP 10 2001

SEP | 3 288

Randy J. Scott Plant Manager Sunnyside Cogeneration Associates One Power Plant Road Sunnyside, UT 84539

C. Randy Seith Rusty Arty,

RE: Sunnyside Waste Coal Site Mine ID No. 42-02093 West Slurry Impoundment ID No. 1211-UT-09-02093-03 Impoundment Abandonment

Dear Mr. Scott:

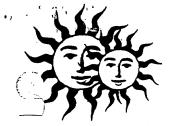
MSHA personnel have reviewed and concur with the certification that the referenced site was abandoned in a manner to preclude the probability of future impoundment of water, sediment, or slurry. The above referenced impoundment is approved for abandonment and will be removed from the mine files.

The referenced impoundment identification number will be removed from the mine file. MSHA inspection and reporting requirements no longer apply to the referenced structure.

If you have any questions regarding this approval, please contact Billy Owens at 303-231-5463 extension 145 or 303-231-5458.

Sincerely,

District Manager



Sunnyside Cogeneration Associates

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

August 29, 2001

Mine Safety & Health Administration District Manager John A. Kuzar P.O.Box 25367 D.F.C. Denver, Co. 80225 Phone (303)231-5458



Re: Sunnyside Coal Waste Site, 42-02093 East Slurry Impoundment, 1211-UT-09-02093-02 Coal Refuse Pile, 1211-UT-09-02093-01

Dear Mr. Kuzar

Sunnyside Cogeneration Associates (SCA) is requesting your approval to change our inspection frequency on the above referenced impoundment's and coal refuse pile. At the present we are inspecting the structures once every seven days (weekly), and days (monthly).

The East Slurry Pond has not been used for its designed purpose, to contain slurry discharge, since 1995. At present, only storm water events report to the pond, with plenty of free board space.

The Coal Refuse Pile is currently being mined and has been since 1993. In 1995, the Sunnyside Coal Company stopped placing refuse material on the pile.

The following are steps and precautions that SCA would take upon this request being approved.

- 1. If a seismic activity occurs in the vicinity of the impoundment/refuse pile, an on-site inspection shall commence immediately.
- If someone reports an unusual condition that may affect the safety/stability of the impoundment/refuse pile, an on-site inspection shall commence immediately.
- 3. If a significant runoff/precipitation event occurs, an on-site inspection will follow.
 APPROVED

UL 12 2001

District Manager John A. Kuzar August 28, 2001 Page Two

- 4. The impoundment/refuse pile will be inspected at an interval not to exceed 30 days.
- 5. A daily monitoring record of the measurable rainfall shall be kept. All records about the impoundment/refuse pile shall be made available to MSHA personnel upon request.

The inspection frequency requirements will not preclude additional safety measures that an on site MSHA representative may require.

Should you have any questions, please contact Rusty Netz at (435)888-4476.

Sincerely,

Agent For Sunnyside Cogeneration Associates

Randy J. Scott Plant Manager

C.C. Ted E. Farmer/Supervisory CMS&H Inspector-Price Gene Ray/Supervisory CMS&H Inspector-Price Plant File

APPROVED

J'IL 1 2 2001

CMTSU

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Excess Spoil Pile #1				
Permit Number	ACT/007/035	Report Date 4/12/02				
Mine Name	SUNNYSIDE REFUSE AN	D SLURRY				
Company Name	SUNNYSIDE COGENERAT	ION ASSOCIATES				
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Excess Spoil Disposal Area #1				
	Pile Number	N/A				
	MSHA ID Number	1211-UT-09-02093-04				
Inspection Date	3/26/02					
Inspected By	Scott Carlson					
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) First Quarter Inspection 2002						
		Attachments to Report? No X Yes				
Field Evaluation						
1. Foundation prepar	ration, including the removal o	f all organic material and topsoil.				
N/A						
2. Placement of unde	rdrains and protective filter s	systems.				
N/A						
		4				
3. Installation of f	inal surface drainage systems.					
N/A						
4. Placement and comp	paction of fill materials.					
Did not rece	eive spoils material	during this Quarter.				

2	-		77	/4m7		TATES.	CHE		-		200 / WWW. W. Oak o
í.	11	٧.	3 <i>2</i> E	-11		AND.	LER		ED 1	REPOR	
		120	V4002-0936	5 J. Vier #6430	- National Con-	200 PM	54,566,000,000,455	Seat and the state of the	A-17 TE 3 A A A A	0 - 10 - 10 - 15 - 15 - 15 - 10 - 10 - 1	County Control of
	21/10		CONTROL OF	A Addition	Account to Account to	and the second	March Street Comme	AND SHAPE OF THE PARTY OF THE P	22 22 Ex 144	and when many proof it has	Contract to the second
1	_	•	T Y	CRS	100 N 100 N	ΡΩΤΙ	200	T P A	D DI	アマインクマ	PILE

Excess Spoil Pile #1

Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions.

None

7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

No Construction occurred during this quarter. Construction in previous quarters had been proceeding in shallow lifts in general conformance with the approved plan.

No evidence exists of fires in the pile.

Certification Statement

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

PROFESSIONAL ELECTRON SA SCOTT ELECTRON STATE OF UTAN

S. Scott Carlson - Project Director
(Full Name and Title)

mature: Vert (M)

Date: 4/12/02

P.E. Number & State:

187727 - UT



Excess Spoil Disposal Area #1, from east side looking west

INSPECTION AND CERTIFIE ON EXCESS SPOIL PILE OR	D REPORT REFUSE PILE	Excess Spoil Pile #2				
Permit Number	ACT/007/035	Report Date 4/12/02				
Mine Name	SUNNYSIDE REFUSE AND SLURRY					
Company Name	SUNNYSIDE COGENERATION ASSOCIATES					
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Excess Spoil Disposal Area #2				
	Pile Number	N/A				
	MSHA ID Number	1211-UT-09-02093-05				
Inspection Date	Inspection Date 3/26/02					
Inspected By	Scott Carlson					
Reason for Inspectation (Annual, Quarterly or Oti Critical Installation, or	ction her Periodic Inspection, r Completion of Construction)	First Quarter Inspection 2002				
		Attachments to Report? No X Yes				
Field Evaluation						
Existing displan. Placement of under Under-drains The Slurry F waters. The	rdrains and protective filter so and filters are not conds #1 and #2 no lo	required by approved plan. onger receive inflows of any storm been removed and storm water				
Installation of fi N/A	nal surface drainage systems.					
. Placement and comp	Placement and compaction of fill materials.					
area. Materi	Placement and compaction of fill material continues in this disposal area. Material consists generally of coarse refuse rejects and is being placed in general conformance with the approved plan.					
Approximately	y 200 tons of materia	al was placed during the Quarter.				

Final grading and revegetation of fill.

N/A

Appearances of instability, structural weakness, and other hazardous conditions.

None

Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

Both Slurry Pond #1 and Slurry Pond #2 have been approved to be and are being filled with coal mine waste and excess spoil in connection with construction of the Excess Spoil Disposal Area # 2.

The Clearwater Pond is also part of this disposal area but will continue to function as a sediment pond until such time as it is needed as a disposal site.

In previous quarters, much of the rejected material from the processing operations had been disposed of in this pile. However, this quarter SCA is studing an effort to reprocess this material to determine if a reduction in waste can occur. Therefore, the quantity of material placed in the disposal area is significantly less than in previous quarters.

Material Samples were gathered last year and analytical results have recently been received. They are attached with this report.

Certification Statement



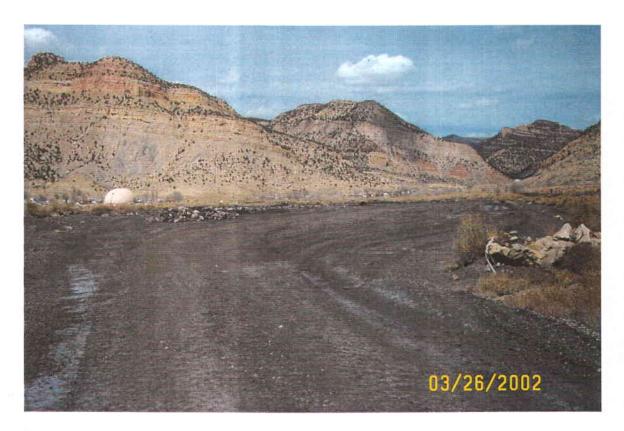
I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

S. Scott Carlson - Project Director

Signature:

Date: 4/12/02

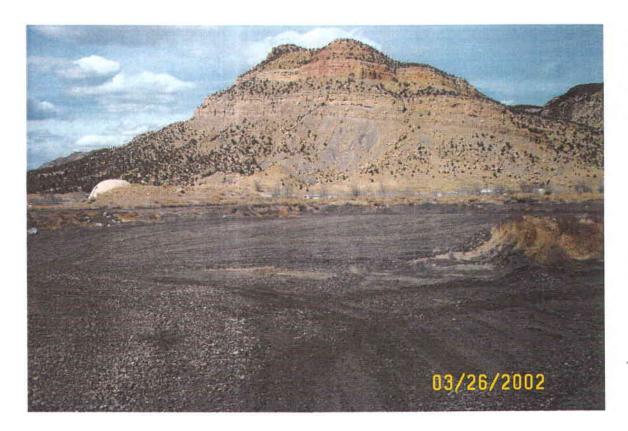
P.E. Number & State: ___ 187727 - UT



Excess Spoil Disposal Area #2, from south looking north



Excess Spoil Disposal Area #2, from east side looking southwest



Excess Spoil Disposal Area #2, from east side looking northwest



Excess Spoil Disposal Area #2, from the north looking south



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February 28, 2002

Sunnyside Operations P.O. Box 159 #1 Power Plant Road Sunnyside, UT 84539 USA PLEASE ADDRESS ALL CORRESPONDENCE TO:
4665 PARIS, B-200
DENVER, CO. 80330

DENVER, CO 80239 TEL: (303) 373-4772 FAX: (303) 373-4791

Client Sample ID: Date Received:

S.W. 3/15/01 12/18/2001

Date Sampled:

03/15/2001

Matrix:

Soil

Project Name/#:

Spoils Pile 2001 Composite

SCA

CT&E Sample ID: 072-1271-002

ANALYTE

Boron, Total Caron, Total Organic uctivity Neutralization Potential Nitrogen, Nitrate Nitrogen **Texture Class** Sand Silt Clay Hc Sodium Absorption Ratio Magnesium, Soluble Calcium, Soluble 3odium, Soluble Selenium, Hot Water 3ulfur, ABP 3ulfur, AP Sulfur, Total

1.3 ppm 5.64 %

5.46 mmhos/cm 119 t/1000t 4.47 ppm

0.08 %

Loamy Sand

86.0 % 10.0 % 4.00 %

8.27 su

10.2 ppm

522 meq/L 710 meg/L

254 meq/L

0.05 ppm

73.1 t/1000t

45.9 t/1000t

1.47 %

@SGS

Kristi Brell:

Member of the SGS Group (Société Générale de Surveillance



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February 28, 2002

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DENVER, CO 80239
TEL: (303) 373-4772

FAX: (303) 373-4791

Client Sample ID: Date Received:

N.E. 3/15/01 12/18/2001

Date Sampled: 03/15/2001

Matrix:

Soil

Project Name/#:

Spoils Pile 2001 Composite

SCA

CT&E Sample ID: 072-1271-004

ANALYTE Boron, Total

uctivity Neutralization Potential Nitrogen, Nitrate Nitrogen **Texture Class** Sand Silt Clay рН Vagnesium, Soluble Calcium, Soluble 3odium, Soluble Sodium Absorption Ratio Selenium, Hot Water Bulfur, ABP Bulfur, AP Sulfur, Total

Control Organic

RESULT 0.97 ppm 14.8 % 4.36 mmhos/cm 137 t/1000t 1.66 ppm 0.24 % Loamy Sand 86.0 % 10.0 % 4.00 % 7.37 su 318 meg/L 792 mea/L 153 meq/L 6.49 ppm <0.01 ppm 122 t/1000t 15.3 t/1000t 0.49 %

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Ristr Brells



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Date Sampled:

February 28, 2002

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PLEASE ADDRESS ALL CORRESPONDENCE TO: 4665 PARIS, B-200

DENVER, CO 80239 TEL: (303) 373-4772 FAX: (303) 373-4791

Client Sample ID:

S.W. 9/30/01 12/18/2001

09/30/2001

Date Received: Matrix:

Soil

Project Name/#:

Spoils Pile 2001 Composite

SCA

CT&E Sample ID: 072-1271-001

ANALYTE

Boron, Total on, Total Organic Cu...auctivity Neutralization Potential Nitrogen, Nitrate Nitrogen Texture Class Sand Silt-Clay Hq Sodium Absorption Ratio Magnesium, Soluble Calcium, Soluble Sodium, Soluble Selenium, Hot Water Sulfur, ABP Sulfur, AP Sulfur, Total

RESULT

1.0 ppm 6.21 % 3.28 mmhos/cm 136 t/1000t 1.32 ppm 1.58 % Loamy Sand 84.0 % 10.0 %

6.00 % 8.77 su 16.2 ppm 275 meg/L 179 meg/L 244 meq/L <0.01 ppm 122 t/1000t

0.46 %

14.4 t/1000t

Gristi Bulls



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February 28, 2002

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DENVER, CO. 80320

DENVER, CO 80239 TEL: (303) 373-4772 FAX: (303) 373-4791

Client Sample ID: Date Received:

N.E. 9/30/01 12/18/2001

Date Sampled :

09/30/2001

Matrix:

Soil

Project Name/#:

Spoils Pile 2001 Composite

SCA

CT&E Sample ID: 072-1271-003

ANALYTE Boron, Total

Carron, Total Organic uctivity **Neutralization Potential** Nitrogen, Nitrate Nitrogen Texture Class Sand Silt Clay эΗ Sodium Absorption Ratio Magnesium, Soluble Calcium, Soluble 30dium, Soluble Selenium, Hot Water Julfur, ABP ulfur, AP ulfur, Total

RESULT 1.1 ppm 8.33 % 5.58 mmhos/cm 142 t/1000t 2.29 ppm 0.15 % Loamy Sand 86.0 % 8.00 % 6.00 % 8.56 su 11.1 ppm 545 meg/L 621 meg/L 267 meq/L <0.01 ppm 124 t/1000t 18.1 t/1000t 0.58 %

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February 28, 2002

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4665 PARIS, B-200
DENVER, CO 80239

TEL: (303) 373-4772 FAX: (303) 373-4791

Client Sample ID: Date Received:

Center 11/10/01 12/18/2001

Date Sampled:

11/10/2001

Matrix:

Soil

Project Name/#:

Spoils Pile 2001 Composite

SCA

CT&E Sample ID: 072-1271-005

ANALYTE Boron, Total

Cg-1-on, Total Organic uctivity Neutralization Potential Nitrogen, Nitrate Nitrogen . **Texture Class** Sand Silt Clay bH -Sodium Absorption Ratio Calcium, Soluble /lagnesium, Soluble lodium. Soluble elenium, Hot Water ulfur, ABP ulfur, AP ulfur, Total

RESULT 1.2 ppm 7.17 % 4.77 mmhos/cm 140 t/1000t 1.28 ppm 0.13 % Loamy Sand 84.0 % 10.0 % 6.00 % 8.37 su 8.94 ppm 614 meg/L 408 meg/L 202 meg/L <0.01 ppm 120 t/1000t 19.7 t/1000t 0.63 %

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Kristi Brells

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